


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOAN C. MILLER	:	CIVIL ACTION
	:	
	:	
v.	:	
	:	NO. 14-5444
GRAY MANUFACTURING	:	
COMPANY, INC., et al	:	

ORDER

AND NOW, this 20th day of August 2015, upon consideration of Defendant's Motion to Preclude the Testimony of Stephen B. Wilcox (ECF Doc. No. 31), Plaintiff's Opposition (ECF Doc. No. 36), following oral argument and for the reasons in the accompanying Memorandum, it is **ORDERED** Defendant's Motion (ECF Doc. No. 31) is **DENIED**.

It is further **ORDERED** Defendant is **GRANTED** leave to file a memorandum not exceeding five (5) pages **on or before September 18, 2015** if it wishes to raise concerns regarding Dr. Wilcox's methodology used in his design defect opinion and Plaintiff may then file an Opposition not exceeding five (5) pages on or before **September 24, 2015**. If ripe, the Court will hold a hearing at **8:30 A.M. on September 29, 2015** to address any further concerns regarding Stephen B. Wilcox's ability to opine as to design defect under the methodology prong of *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993).



KEARNEY, J.